



United States Department of the Interior

NATIONAL PARK SERVICE

1849 C Street, N.W.

Washington, D.C. 20240

JUN 2 2011

Re: **Colorado Saddlery Building**
Project Number: **24712**

Dear

I have concluded my review of your appeal of the decision of Technical Preservation Services (TPS), National Park Service, denying certification of the rehabilitation of the property cited above. The appeal was initiated and conducted in accordance with Department of the Interior regulations (36 CFR Part 67) governing certifications for Federal income tax incentives for historic preservation as specified in the Internal Revenue Code. I thank you, and for meeting with me in Washington on May 19, 2011, and for providing a detailed account of the project.

After careful review of the complete record for this project, including the additional information received after our meeting, I have determined that the rehabilitation of the Colorado Saddlery Building is not consistent with the historic character of the property and the historic district in which it is located, and that the project does not meet the Secretary of the Interior's Standards for Rehabilitation (the Standards). Therefore, the denial issued by TPS on February 3, 2011, is hereby affirmed. However, I have further determined that the project could be brought into conformance with the Standards, and thereby be certified if the corrective measure described below is undertaken.

Built in 1906, the Colorado Saddlery Building is located in the Lower Downtown Denver Historic District. The building was certified as contributing to the significance of this "registered historic district" on May 13, 2010. The in-progress rehabilitation of this "certified historic structure" was found not to meet the Standards owing to construction of a rooftop addition, as well as the planned installation of canopies and balconies and the planned removal of one historic door as well as the addition of several new storefront doors and windows on the ground floor.

With regard to the canopies and balconies, you explained at our meeting that you have deleted the canopies and balconies from the project. I have determined that the objections cited by TPS regarding the canopies and balconies are thus fully resolved, and accordingly they have played no role in my decision.

With regard to the changes to the ground floor openings, you explained at our meeting that you did not remove the historic door. In addition, the drawings received with your June 1, 2011, e-mail show that the new ground floor door and window infill will retain the warehouse character of the ground floor openings. Accordingly, I have determined that the proposed treatment of the ground floor windows and doors complies with the Standards.

With regard to the rooftop addition, the additional photographs supplied at our meeting demonstrate that its massing will not significantly impair the overall character of the structure on which it rests. It is sufficiently pulled back from the parapet on three sides so that it will not be seen from street level in the immediate vicinity of the building, and, although it will be seen from vantage points farther down both 15th Street and Wynkoop Street, it will neither overwhelm the building overall nor be incompatible with it. In addition, I have determined that the exterior copper cladding on the 15th Street, Wynkoop Street, and alley facades of the rooftop addition, once weathered, will be compatible with the color of the historic brick masonry below. However, the conditions are different on the fourth façade of the rooftop addition, which extends to the property line and is thus in the same plane as the historically exposed brick masonry of the party wall below it. This condition makes the addition more prominent than on the other facades. Further, the exterior cladding on this side is a different material and color, which further contributes to its prominence and causes it to fail to comply with Standard 9, which states, "*New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.*" However, I have determined that changing the color of exterior cladding of the party wall façade of the rooftop addition to a color that will blend in with the color of the historic brick masonry below it, so that the addition will not be a prominently differentiated feature above the historic building, will comply with Standard 9.

If you choose to proceed with the corrective measure described above, please submit a Part 2 amendment describing the proposed color and application method for my review and approval prior to undertaking any work. You may want to use sample test panels on the addition itself to demonstrate the effectiveness of the proposed color scheme. Please submit the Part 2 amendment to Technical Preservation Services, Attn: _____ with a copy to the Colorado State Historic Preservation Office. I will review it as soon as is practicable. Note that this project will not become a "certified rehabilitation" eligible for the tax incentives until it is completed and so designated.

As Department of the Interior regulations state, my decision is the final administrative decision with respect to the February 3, 2011, denial that TPS issued regarding rehabilitation certification. A copy of this decision will be provided to the Internal Revenue Service. Questions concerning specific tax consequences of this decision or interpretations of the Internal Revenue Code should be addressed to the appropriate office of the Internal Revenue Service.

Sincerely,



John A. Burns, FAIA
Chief Appeals Officer
Cultural Resources

cc: SHPO-CO
IRS